



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes PLANNING COMMISSION

Bob Kinney - Chairman
Ann Watkins, Ward 1
Jason Allen Waters, Ward 2
Patrick Thompson, Ward 3
John Schupp, Ward 4
Kenneth Carter, Ward 5
Stephen Diffley, Ward 7

Wednesday, November 7, 2012

6:00 PM

City Hall Council Chambers

Present: Jason Allen Waters, R. W. "Bob" Kinney, Kenneth Carter,
Diffley, John J. Schupp

Stephen

Absent: Patrick Thompson, Ann Watkins

Staff:

Brian Binzer, Development Services Director
Rusty Roth, Development Services Manager
Shelby Little, Urban Planner
Daniel White, City Attorney

CALL TO ORDER & ROLL CALL:

Chairman Kinney called the November 7, 2012 Planning Commission meeting to order at 6:02 p.m.

MINUTES:

20121006

October 2, 2012 Regular Planning Commission Meeting Minutes

Review and Approval of the October 2, 2012 Planning Commission Meeting Minutes

File # 20121006 - Review and Approval of the October 2, 2012 Regular Planning Commission Meeting Minutes

Mr. Diffley made a motion to approve the revised minutes, seconded by Mr. Carter.

Vote: 5-0-0

REZONING(S):

20120982

Z2012-09 Garvis Sams 1690 Cobb Parkway South

Z2012-09 [REZONING] GARVIS SAMS requests rezoning for property located in Land Lot 07110, District 17, Parcel 0300, 2nd Section, Marietta, Cobb County, Georgia and being known as 1690 Cobb Parkway South from LI (Light Industrial) to CRC (Community Retail Commercial). Ward 1.

Z2012-09 Cobb Pkwy S 1690

File #20120982 (Z2012-09) was presented by Mr. Roth for property located in Land Lot 07110, District 17, Parcel 0300, and being known as 1690 Cobb Parkway South.

A public hearing was held.

Garvis Sams presented the rezoning application for the property located at 1690 Cobb Parkway South from LI to CRC and requested approval of the rezoning request subject to the as-built site plan and variances listed in the staff report.

No opposition to the application was present.

Mr. Schupp and Mr. Sams discussed the condition of the metal building as well as paving the gravel lot in the rear.

Mr. Diffley asked about how ownership would affect the variance to waive paving the rear.

Mr. Kinney and Mr. Sams discussed possible tenants in the buildings and parking in the rear.

Mr. Carter made a motion to approve, seconded by Mr. Diffley.

Mr. Schupp asked how 'redevelopment' is defined. Mr. Roth explained that redevelopment is addressed in Section 706 of the Zoning Ordinance.

Motion: Mr. Schupp offered a substitute motion to approve the rezoning request and with all variances listed in the staff report, except for the one regarding paving, with the stipulation that all variances disappear should the property be redeveloped as defined by the City, seconded by Mr. Diffley.

Vote: 4-1-0 (Mr. Waters opposed)

20120983

Z2012-10 Thomas E. Divine, Jr. 1749 Canton Road

Z2012-10 [REZONING] THOMAS E. DIVINE, JR. requests rezoning for property located in Land Lot 08040, District 16, Parcel 0130, 2nd Section,

Marietta, Cobb County, Georgia and being known as 1749 Canton Road from CRC (Community Retail Commercial) to LI (Light Industrial). Ward 6.

Z2012-10 Canton Rd 1749

File #20120983 (Z2012-10) was presented by Mr. Roth for property located in Land Lot 08040, District 16, Parcel 0130, and being known as 1749 Canton Road.

A public hearing was held.

Thomas Devine, petitioner, presented the rezoning application for the property located at 1749 Canton Road from CRC to LI at 1749 Canton Road so the property may be used as a dispatch office and safe haven for truck drivers to park their trucks while not on the road.

No opposition to the application was present.

Mr. Kinney and Mr. Devine discussed types of vehicles being stored as well as lease terms for the property.

Mr. Kinney and Mr. Devine discussed various aesthetic improvements to the property.

Mr. Kinney pointed out that the report recommends storing the tractors behind a fence. Mr. Devine stated that a fence would limit their available parking and would prefer to not have that stipulation as long as they keep things neat and tidy.

Mr. Diffley and Mr. Devine discussed details of the business operation, such as business name, parking duration, security monitoring, and repair work.

Motion: Mr. Diffley made a motion to approve the rezoning request with all variances listed in the staff report and a stipulation that all variances disappear should the property be redeveloped as defined by the City, seconded by Mr. Carter

Vote: 5-0-0

20120994

Z2012-11 City of Marietta 1004 Roswell Street

Z2012-11 [REZONING] CITY OF MARIETTA requests rezoning for property located in Land Lot 12370, District 16, Parcel 0090, 2nd Section, Marietta, Cobb County, Georgia and being known as 1004 Roswell Street from CRC/OI (Community Retail Commercial/Office Institutional) to CRC (Community Retail Commercial). Ward 7.

Z2012-11 1004 Roswell Street

File #20120994 (Z2012-11) was presented by Mr. Roth for property located in Land Lot 12370, District 16, Parcel 0090, and being known as 1004 Roswell Street.

A public hearing was held.

No opposition present.

Motion: Mr. Waters made a motion to approve the request as submitted, seconded by Mr. Carter.

Vote: 5-0-0

20121056**Z2012-12 City of Marietta 320 and 340 Lockheed Avenue**

Z2012-12 [REZONING] CITY OF MARIETTA requests assigning zoning for property located in Land Lot 05040, District 17, 2nd Section, Marietta, Cobb County, Georgia and being known as unimproved right of way located between 320 & 340 Lockheed Avenue to CRC (Community Retail Commercial). Ward 7.

Z2012-12 320 & 340 Lockheed Ave

File #20121056 (Z2012-12) was presented by Mr. Roth for property located in Land Lot 05040, District 17, and being known as unimproved right of way located between 320 & 240 Lockheed Ave.

A public hearing was held.

No opposition present.

Mr. Schupp asked why this particular piece of unimproved right of way was selected for rezoning, to which Mr. Roth responded that it was initiated by a request of an adjacent property owner.

Motion: Mr. Schupp made a motion to approve the request as submitted, seconded by Mr. Waters .

Vote: 5-0-0

OTHER BUSINESS:**20110790****CA2012-09 Amendment to the Comprehensive Development Code regarding Tree Protection and Landscaping**

CA2012-09 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta Division 712.08 Tree Protection and Landscaping.

CA2012-09 Tree Ordinance

File #20110790 (CA2012-09) was presented by Mr. Roth for various changes to Division 712.08, Tree Protection and Landscaping, of the Comprehensive Development Code of Marietta.

A public hearing was held.

No opposition present.

Mr. Schupp asked what prompted the changes in the ordinance. Mr. Roth responded that it was a result of working with developers and comparing the City's tree ordinance with ordinances for neighboring communities.

Mr. Schupp also asked about the CBD zoning district being exempted and how plantings on other properties, not zoned CBD, that are difficult to plant are handled. Mr. Roth responded that the variance process is in place for these situations.

Motion: Mr. Diffley made a motion to approve the amendment as submitted, seconded by Mr. Waters.

Vote: 5-0-0

20120908

CA2012-10 Amendment to the Comprehensive Development Code regarding Signs

CA2012-10 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta Division 714 Signs, Paragraph 714.03 Signs exempt from permit regulations.

CA2012-10 Sign Ordinance

File #20110908 (CA2012-10) was presented by Mr. Roth for changes to Division 714.03, Signs exempt from permit regulations, of the Comprehensive Development Code of Marietta.

A public hearing was held.

No opposition present.

Mr. Schupp and Mr. Roth discussed the applicability of this code amendment to public and private property.

Motion: Waters made a motion to approve the amendment as submitted, seconded by Carter .

Vote: 4-1-0 (Schupp opposed)

ADJOURNMENT:

Chairman Kinney adjourned the meeting adjourned at 6:41 p.m.

Bob Kinney, Chairman

Shelby Little, Urban Planner